

BEFORE THE
POLLUTION CONTROL HEARINGS BOARD
STATE OF WASHINGTON

IN THE MATTER OF)
JOSEPH SIMON AND SONS, INC.)
Appellant,)
vs.)
PUGET SOUND AIR POLLUTION)
CONTROL AGENCY,)
Respondent.)

PCHB No. 105

FINDINGS OF FACT,
CONCLUSIONS AND ORDER

This matter, the appeal of a civil penalty of \$250 for an alleged violation of Section 9.03(a) of respondent's Regulation I, came before the Pollution Control Hearings Board (Walt Woodward, hearing officer) in the conference room of the Tacoma law offices of Burkey, Marsico, Rovai & McGoffin at 2:30 p.m., May 26, 1972.

Appellant was represented by its Secretary-Treasurer, Herb Simon. Respondent appeared through its counsel, Keith D. McGoffin. Richard Reinertsen, Olympia court reporter, recorded the proceedings.

An attempt to compromise this matter in an informal conference

1 failed.

2 Witnesses were sworn and testified; exhibits were admitted.

3 All members of the Pollution Control Hearings Board having read the
4 transcript of the testimony, and having considered the exhibits, signed
5 a Proposed Findings of Fact, Conclusions and Order on the 28th day of
6 June, 1972, copies of which were mailed to the appellant and the
7 respondent. Thereafter on the 20th day of July, 1972, a Statement of
8 Exceptions was received from the attorneys for the appellant,
9 Betzendorfer & Deutscher.

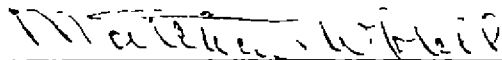
10 Having fully considered the Exceptions, the Board adhering to its
11 Proposed Findings of Fact and Conclusions, adopts them as its Findings
12 of Fact and Conclusions herein, and based thereon, enters the following:


13 FINAL ORDER

14 The Notice of Civil Penalty No. 227 issued by the Puget Sound Air
15 Pollution Control Agency to Joseph Simon and Sons, Inc. is sustained
16 and the penalty imposed is affirmed.

17 DONE at Olympia, Washington this 5th day of September, 1972.

18 POLLUTION CONTROL HEARINGS BOARD

19 
20 MATTHEW W. HILL, Chairman

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22 JAMES T. SHEEHY, Member

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24 WALT WOODWARD, Member

25
26 FINDINGS OF FACT,
27 CONCLUSIONS AND ORDER